

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

TRACY K.,

Plaintiff,

v.

MARTIN O'MALLEY,<sup>1</sup>  
Commissioner of Social Security,

Defendant.

Civil No.: 1:16-cv-00519-JDL

March 29, 2024

ORDER

Upon consideration of Plaintiff's petition for attorney's fees under 42 U.S.C. § 406(b), and Defendant's response, the Magistrate Judge's Recommended Decision on Motion for Attorney Fees [ECF No. 22] is **ACCEPTED**, and it is **ORDERED** that Francis Jackson, Esquire is awarded an attorney's fee under the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$10,811.00 (or 25% of Plaintiff's past-due benefits, whichever is less). Plaintiff's counsel will reimburse Plaintiff any fees he previously received under the Equal Access Justice Act (EAJA), 28 U.S.C. § 2412.

**SO ORDERED.**

Dated: March 29, 2024

/s/ Jon D. Levy  
**U.S. DISTRICT JUDGE**

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<sup>1</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).